

ENVIRONMENTAL

NO. 62073

E

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office APR 24 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 24 1996

The applicant Terrible Herbst Oil Company, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. 1964 in Nevada

1. The source of the proposed appropriation is underground
2. The amount of water applied for is 0.013 second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for treatment of petroleum contaminated ground water, no consumptive use. environmental
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 14, T.21S., R.61E., M.D.B.&M. or at a point from the SW 1/16 corner bears N.31°33'17"E. a distance of 572.01'
6. Place of Use SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T21S, R61E, M.D.B.&M.
7. Use will begin about January 1 and end about December 31, of each year.
8. Description of proposed works water extracted from one existing monitoring well: MW-11 (waiver # MO-2293). See Map
9. Estimated cost of works N/A
10. Estimated time required to construct works 2 weeks
11. Estimated time required to complete the application of water to beneficial use 3 years
12. Remarks: Water to be extracted from one existing monitoring well for remediation of dissolved benzene, toluene, xylenes, and ethylbenzene via treatment by an air stripper. Treated water to be injected back into aquifer via injection trench.

By s/David B. Howard
833 Nevada Highway, Suite 4
Boulder City, Nevada 89005

Compared cl/jk cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.013 cubic feet per second , but not to exceed 9.41 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before: _____ *

Proof of completion of work shall be filed before: _____ *

Application of water to beneficial use shall be filed on or before: _____ *

Proof of the application of water to beneficial use shall be filed on or before: _____ *

Map in support of proof of beneficial use shall be filed on or before: _____ *

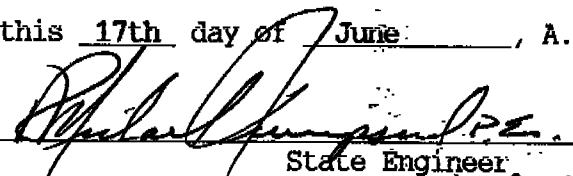
* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of June, A.D. 1996


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

ENVIRONMENTAL